

**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**Dec 15, 2022**

SEAN F. MCAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Allen West Frantz

Case Number: 0980 2:22CR00079-TOR-1

Address of Offender: [REDACTED] Spokane, Washington 99205

Name of Sentencing Judicial Officer: The Honorable David C. Nye, Chief U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: July 9, 2019

Original Offense: Possession with Intent to Distribute Methamphetamine, 21 U.S.C. § 841(a)(1) and (b)(1)(c)

Original Sentence: Prison - 36 months  
TSR - 36 months

Type of Supervision: Supervised Release

Revocation Sentence: Prison - 60 days  
(September 28, 2022) TSR - 34 months

Asst. U.S. Attorney: Stephanie A. Van Marter

Date Supervision Commenced: October 22, 2022

Defense Attorney: Kathryn Patricia Lucido

Date Supervision Expires: August 21, 2025

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**PETITIONING THE COURT**

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To issue a summons.

On October 25, 2022, an officer with the U.S. Probation Office in Spokane, Washington, reviewed a copy of the conditions of supervision with Mr. Frantz, as outlined in the judgment and sentence. He signed a copy acknowledging the requirements.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1

**Special Condition #6:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** On or about November 15, 2022, Allen Frantz allegedly violated special condition number 6 by consuming methamphetamine.

On November 15, 2022, the offender reported to the U.S. Probation Office for random urinalysis testing as instructed by the assigned probation officer. Mr. Frantz provided a urine sample that was presumptive positive for amphetamine and methamphetamine,

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although he denied any illicit drug use, so the sample was sent to the laboratory for further testing. The offender signed a denial of use form confirming his denial.

On November 19, 2022, this officer received notification from the laboratory that the urine sample Mr. Frantz provided on November 15, 2022, was in fact positive for amphetamine and methamphetamine.

- 2      **Special Condition #6:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** On or about November 18, 2022, Allen Frantz allegedly violated special condition number 6 by consuming methamphetamine.

On November 22, 2022, the offender reported to the U.S. Probation Office as instructed by the undersigned officer, and was subject to random urinalysis testing. Mr. Frantz provided a urine sample that was presumptive positive for amphetamine and methamphetamine, but he initially denied any illicit drug use, so the sample was packaged in order to be sent to the laboratory for further testing.

On that date, after speaking with Mr. Frantz, he ultimately admitted to the use of methamphetamine on or about November 18, 2022. The offender also signed an admission of use form confirming his admission.

On November 30, 2022, this officer received notification from the laboratory that the urine sample Mr. Frantz had provided on November 22, 2022, was in fact positive for methamphetamine.

- 3      **Special Condition #6:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** On or about December 1, 2022, Allen Frantz allegedly violated special condition number 6 by consuming methamphetamine.

On December 6, 2022, the offender reported to the U.S. Probation Office for random urinalysis testing as instructed. Before submitting to testing, this officer asked Mr. Frantz if he would be positive for any controlled substances. He was very unsure in his response, which was a red flag for this officer.

Mr. Frantz subsequently provided a urine sample that was presumptive positive for amphetamine and methamphetamine. He requested to speak with this officer and admitted to the use of methamphetamine on or about December 1, 2022. The offender also signed an admission of use form confirming his admission.

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The U.S. Probation Office respectfully recommends the Court issue a summons requiring the offender to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 12/15/2022

s/Amber M.K. Andrade

Amber M.K. Andrade  
U.S. Probation Officer

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## THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other
- ☒ Defendant to appear before the Magistrate Judge.



Thomas O. Rice  
United States District Judge  
December 15, 2022

Date